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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/939, 064	09/29/97	KAMACHI	T SONY-P7815

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EXAMINER

NGUYEN, T

ART UNIT

2773

PAPER NUMBER

DATE MAILED: 01/07/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

Application No. 08/939,064	Applicant(s) KAMACHI
Examiner Thomas Nguyen	Group Art Unit 2773

Responsive to communication(s) filed on OCT. 26 1998 REQUEST FOR RECONSIDERATION.

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-6 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

### **Response to Amendment**

I. This final action is in response to paper number 5 of Amendment A, which was received by US PTO on Oct 26, 1998. Applicant's argument have been fully considered but they are not deemed to be persuasive.

#### **II. Claims Rejection:**

1. *Claim 1-2,5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. US Patent 5,621,904.*

*As per claim 1,5-6:* Elliott discloses a system and method of an image display a main window for displaying main information and a sub window for displaying accompanying information associated with main information, and automatically arrangement changing the display position move to main window within a preset predetermined value, and arranging of sub window to a position adjacent to main window (col.2 , line 40 to col.3, line 30; FIG.2), but Elliott does not teaches user-specified position for sub window move to main window. However, it would have been obvious to one of ordinary skill in the relevant art at the time of invention to includes user interface which system for moving a display position of sub window upon user-specified position, because it allows user composition of screen layout.

*As per claim 2:* Recite from claim 1, Elliott discloses a system for display a sub window adjacent to main window within a preset predetermined value, but Elliott's system discloses automatic arrangement the horizontal line in reserve order which is alignment on a same bottom side of sub window with bottom side of main window (FIG.2). However, it would have been obvious to one of ordinary skill in the relevant art at the time of invention for change sub window coordinate to alignment the upper sides instead lower side of main window and sub window, because organizing the display window this way in some cases may maximize the display area.

2. *Claim 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. US Patent 5,621,904 in view of Suzuki et al. US Patent 5,736,982.*

*As per claim 3:* Recite from claim 1, but Elliott's video system does not discloses the main window displays a 3D Virtual Reality and sub windows display a chat perform via an avatar. However Suzuki teaches present invention system relates to a virtual space which allows avatar freely move to desired position in a shared in 3D virtual space (col.1, line 5-45, FIG.25). Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time of invention to combine Elliott's position windows display and Suzuki's disclosures for obtaining an image display which main window in 3D virtual reality space and sub window of a movable chat avatar, because this would enhance system performance and usability.

*As per claim 4:* Recite from claim 3, Suzuki's system describes in virtual world 3D graphic data network such as LAN and perform two-way communication with the server which described in VRML.

### **III. *Response to Applicant's remark.***

In regard to applicant's remark for the invention claimed of "user specified position for sub-windows " to be display by main window. Elliott et al. reference fully discloses a system and method that intelligently positioning sub-window by main-window to reduce the aforementioned problem to over come the related prior-art (see col.1, line 41-67), and with Elliott's logic (Fig.3A-4B), and calculations / functions (col.3-6) which is eliminate burden / problem of prior-art such as obscure important information by overlapping and required user manually re-position, but after automatically position the sub-window properly by Elliott's system, it would have been obvious to one of ordinary skill in the relevant art at the time of invention for asserting the user interface task "for user-specified position", because it allows user composition of screen layout, and this should not contrary to Elliott's invention, reason is that the user-specified position task would gives user an alternate option without departing from the main principle and scope.

### **IV. Conclusion**

3. ***THIS ACTION IS MADE FINAL.*** See MEPE 706.07(a). Application is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 305-9724 for informal or draft communications. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., 6th Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Thomas Nguyen**, whose telephone number is (703) 308-7240. The examiner can normally be reached on Monday to Thursday 8:00 - 6:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the workgroup 2773 Examiner's contact person, **Crescelle dela Torre**, can be reached at (703) 305-9782.

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6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thomas T. Nguyen

December 29, 1998



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2773